

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

G.W.,

Plaintiff,

v.

NORTHBROOK INDUSTRIES,
INC., d/b/a UNITED INN AND
SUITES,

Defendant.

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Civil Action No.
1:20-cv-05232-JPB

**DEFENDANT NORTHBROOK INDUSTRIES, INC.’S MOTION FOR
LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF RESPONSE
IN OPPOSITION TO PLAINTIFF’S MOTION FOR SANCTIONS OR IN
THE ALTERNATIVE, MOTION FOR LEAVE TO FILE RESPONSE TO
PLAINTIFF’S MOTION FOR RECONSIDERATION**

COMES NOW Defendant Northbrook Industries, Inc. (“United”) and, pursuant to LR 7.1, files this Motion for Leave to File Supplemental Brief in Support of Response in Opposition to Plaintiff’s Motion for Sanctions, showing this Honorable Court as follows:

1.

On December 12, 2023, Plaintiff G.W. (“Plaintiff”) filed her Motion for Sanctions and Memorandum in Support. *See* Doc. 114.

2.

United filed its Response in Opposition to Plaintiff's Motion for Sanctions on January 2, 2024. *See* Doc. 120.

3.

Plaintiff filed her Reply in Support of Motion for Sanctions and Memorandum in Support on January 23, 2024. *See* Doc. 130.

4.

While litigating the sanctions issue, the parties simultaneously litigated United's Motion for Summary Judgment which was filed on December 21, 2023. *See* Doc. 116.

5.

Plaintiff filed her Response in Opposition to United's Motion for Summary Judgment on January 18, 2024, and United filed its Reply in Support of Motion for Summary Judgment on February 8, 2024. *See* Doc. 127 and 133.

6.

On June 14, 2024, the Court issued an order granting United's Motion for Summary Judgment. *See* Doc. 148. Plaintiff filed her Motion for Reconsideration and Request for Oral Argument on July 12, 2024. *See* Doc. 151.

7.

The Court heard oral arguments on Plaintiff's Motion for Sanctions and Memorandum in Support on August 6, 2024.

8.

During oral argument, Plaintiff's counsel advanced several arguments concerning the Court's interpretation of the law underpinning its decision to grant summary judgment and how said interpretation affects the analysis of the sanctions issue.

9.

Specifically, Plaintiff's counsel argued that (1) the Court should have issued a ruling on her Motion for Sanctions and Memorandum in Support prior to ruling on United's Motion for Summary Judgment because the potential imposition of the requested sanctions could have affected the Court's analysis of United's Motion for Summary Judgment; (2) the Court's reliance on authority issued after briefing on United's Motion for Summary Judgment was complete foreclosed Plaintiff's ability to address certain issues raised by said authority; and (3) the Court's interpretation of relevant authority concerning what constitutes "participation in a venture" in the context of a 18 U.S.C. § 1595(a) beneficiary liability claim affects the significance of the discovery violations at the heart of Plaintiff's Motion for Sanctions and Memorandum in Support. Plaintiff's Motion for Reconsideration and Request for

Oral Argument also addresses the Court's interpretation of the authority concerning the "participation in a venture" analysis. *See* Doc. 151.

10.

Due to the timing of the Court's order granting United's Motion for Summary Judgment, the aforementioned arguments were not included in Plaintiff's Reply in Support of Motion for Sanctions and Memorandum in Support. As such, United was not afforded an opportunity to brief these issues as they relate to the imposition of sanctions.

11.

Therefore, United respectfully requests that this Court issue an ORDER granting it leave to file a Supplemental Brief in Support of its Response in Opposition to Plaintiff's Motion for Sanctions. Alternatively, United respectfully requests that this Court issue an ORDER granting it leave to file a Response in Opposition to Plaintiff's Motion for Reconsideration and Request for Oral Argument.

Respectfully submitted this 7th day of August, 2024.

Signature follows on next page.

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RULE 7.1D CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.1D of the United States District Court of the Northern District of Georgia, the undersigned certifies that the foregoing submission to the Court was computer-processed, double-spaced between lines, and used Times New Roman font of 14 point size.

Dated: August 7, 2024

/s/ Cameron A. Mobley
CAMERON A. MOBLEY

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2024, I electronically filed the foregoing ***DEFENDANT NORTHBROOK INDUSTRIES, INC's MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF RESPONSE IN OPPOSITION TO PLAINTIFF'S MOTION FOR SANCTIONS OR IN THE ALTERNATIVE, MOTION FOR LEAVE TO FILE RESPONSE TO PLAINTIFF'S MOTION FOR RECONSIDERATION*** with the Clerk of Court using the CM/ECF filing system which will automatically send e-mail notification of such filing to the following counsel of record:

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